

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: WELLBUTRIN XL :
ANTITRUST LITIGATION :
 :
 : No. 08-2433 (Indirect)

ORDER

AND NOW, this 21st day of December, 2010, upon consideration of the indirect purchaser plaintiffs' Motion for Leave to File an Amendment to their First Amended Consolidated Class Action Complaint (Docket No. 196), the opposition, reply, and sur-reply thereto, oral argument on December 14, 2010, and for the reasons stated in a memorandum of today's date, IT IS HEREBY ORDERED that said motion is GRANTED IN PART AND DENIED IN PART as follows:

1. The plaintiffs are GRANTED leave to amend their complaint to assert claims under New York's Donnelly Act, N.Y. Gen. Bus. Law § 340, et seq.

2. The plaintiffs are DENIED leave to amend their complaint to assert claims under the Illinois Antitrust Act, 740 Ill. Comp. Stat. 10/1, et seq.

3. The plaintiffs' second amended complaint shall be due to the Court on or before January 7, 2011.

BY THE COURT:

/s/ Mary A. McLaughlin
MARY A. McLAUGHLIN, J.